

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARCELIO JOSEPH REYBOL,
Plaintiff,
v.
U.S. MINT,
Defendant.

Case No. 23-cv-06002-MMC

**ORDER ADOPTING REPORT AND
RECOMMENDATION; DISMISSING
ACTION WITHOUT PREJUDICE**


Before the Court is Chief Magistrate Judge Donna Ryu's Report and Recommendation, filed January 25, 2024, whereby said Magistrate Judge recommends the Court dismiss the above-titled action without prejudice for failure to prosecute, namely, plaintiff's failure to comply with an order directing him to either file, no later than January 18, 2024, a complete in forma pauperis application or pay the filing fee by that date.

In apparent response to the Report and Recommendation, plaintiff, who proceeds pro se, filed on January 30, 2024, a document titled "Federal Rule of Civil Procedure Rule 7(a) IFP Application Answer/Summons," which document, despite its title, does not constitute an in forma pauperis application, and the record indicates plaintiff has not otherwise filed a complete in forma pauperis application or paid the filing fee at any time.

Accordingly, the Court having reviewed the record de novo, the Report and Recommendation is hereby ADOPTED in its entirety, and the above-titled action is hereby DISMISSED, without prejudice.

IT IS SO ORDERED.

Dated: February 22, 2024


MAXINE M. CHESNEY
United States District Judge